

Released: December 21, 1977.

In the matter of amendment of Parts 81 and 83 of the rules concerning the assignment of frequencies to Limited Coast Stations. Order.

1. Section 81.358 of the Commission's rules contains the criteria for assigning working frequencies to Limited Coast Stations. Paragraph (a) of that section provides that, normally, only one working frequency in each of the three major categories of frequencies will be assigned to any station.

2. When we adopted the subject rule section in Docket 19360, we stated in the Notice of Proposed Rule Making in paragraph 4, (FCC 71-1232, 33 FR 23933, December 16, 1971) that our frequency assignment policy was based on the concept that "it is the responsibility of a ship station licensee to equip the ship station with channels of coast or other stations with which communication is desired . . ." and that "it is not the responsibility of the coast station to operate on all assignable frequencies so that it can communicate with any vessel within range".

3. Since we are continuing to receive applications for assignment of more than one working frequency in a particular category, it is apparent that the public is not generally aware of our above stated concept that the primary responsibility for equipping a radio station with the channels necessary for ship to shore communications rests with the vessel and not the coast station operator.

4. We believe it would be helpful to the licensees of both coast and ship stations to include that policy in our rules, and we are herewith and pursuant to Sections 4(l) and 303(r) of the Communications Act of 1934, as amended, and § 0.231(d) of the Commission's rules, amending Parts 81 and 83 of our rules to so provide, as shown in the attached Appendix, effective December 30, 1977.

5. Since this rule change is a statement of a general and previously published policy, the prior notice provisions of 5 U.S.C. 553 do not apply.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS
COMMISSION,
R. D. LICHTWARDT,
Executive Director.

Parts 81 and 83 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

A. Part 81—Stations on Land in the Maritime Services and Alaska-Public Fixed Stations.

Section 81.358(a) is revised to read as follows:

§ 81.358 Conditions imposed upon assignments in the 156-162 MHz band.

(a) Frequencies within the band 156-162 MHz assigned to limited coast sta-

tions shall be in accordance with the applicant's eligibility for a license. Normally, only one port operation, commercial and non-commercial frequency will be assigned. It is the responsibility of a ship station licensee to equip the ship station with the channel, or channels, of the coast or other stations with which communications are desired, and not the responsibility of a coast station to operate on all assignable frequencies so that it can communicate with any vessel within range. Applications for authority to use more than one frequency in any one of the above three categories shall include a satisfactory showing of need for the additional frequency, or frequencies, as specified below.

B. Part 83—Stations on Shipboard in the Maritime Services.

The text before the table in paragraph (a) of § 83.351 is amended to read as follows:

§ 83.351 Frequencies available.

(a) The following indicates the carrier frequencies available for use by ship stations that are authorized to operate in the respective bands as shown on the station license, together with their specific conditions of use. It is the responsibility of a ship station licensee to equip the ship station with the channel, or channels, of the coast or other stations with which communications are desired, and not the responsibility of a coast station to operate on all assignable frequencies so that it can communicate with any vessel within range. The conditions of use consist of the pertinent section reference(s) and the specific assignment limitations, which are given in paragraph (b) of this section:

Carrier frequency (kilohertz)	Conditions of use	
	Section	Limitations
• • • • •	• • • • •	• • • • •

[FR Doc. 77-36809 Filed 12-23-77; 8:45 am]

[4910-60]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HMI-146; Amdt. Nos. 173-112]

PART 173—SHIPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

Extension of Service Life of DOT 3HT
Cylinders; Correction

AGENCY: Materials Transportation Bureau, Department of Transportation.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule on the extension of service life

of DOT 3HT cylinders which appears at page 63644 of the FEDERAL REGISTER of December 19, 1977.

EFFECTIVE DATE: January 17, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. Alan I. Roberts, Director, Office of Hazardous Materials Operations, 2100 Second Street SW., Washington, D.C. 20590, 202-426-0656.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-35871 appearing at page 63644 in the FEDERAL REGISTER of December 19, 1977, paragraph (e)(13)(v) of § 173.34, appearing on page 63044 is corrected in the first line by changing the date of January 11, 1978, to read January 17, 1978.

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e).)

Issued at Washington, D.C., on December 21, 1977.

L. D. SAITMAN,
Acting Director, Materials
Transportation Bureau.

[FR Doc. 77-36866 Filed 12-23-77; 8:45 am]

[4910-59]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION; DEPARTMENT OF TRANSPORTATION

[Docket No. 78-01; Notice 1]

PART 510—INFORMATION GATHERING POWERS

Procedures and Requirements Governing the Use of Compulsory Process

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Interim rule.

SUMMARY: This rule establishes requirements and procedures governing the issuance and use of compulsory process by the National Highway Traffic Safety Administration in the course of investigations conducted to carry out its missions under the National Traffic and Motor Vehicle Safety Act, as amended, and the Motor Vehicle Information and Cost Savings Act, as amended. Recent Administration experience in both enforcement and rulemaking activities has shown the desirability of having compulsory information gathering powers available so that the agency may obtain such information as it deems necessary for a particular task. The Administration believes that it is in the public interest to set out the procedures it will use to implement those powers to gather information, and the rights that persons subject to those procedures will have. This notice is intended to inform the members of the public of those procedures and of the rights they have with respect to those information gathering powers.